

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**


WELDON RAY WATERS, JR.,)
))
Petitioner,)
))
vs.) **Case No. 2:06-CV-4736-TMP**
))
LEWIS BOYD, Warden, and the)
ATTORNEY GENERAL OF THE STATE)
OF ALABAMA,)
))
Respondents.)

MEMORANDUM OF OPINION

The magistrate judge filed his report and recommendation in this case on May 3, 2007, finding the petition time barred under 28 U.S.C. § 2244(d). Petitioner filed his objections to the report and recommendation on May 18, 2007.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, and the objections to it, the court finds that Petitioner's objections are due to be overruled, and the magistrate judge's report is due to adopted and his recommendation accepted. Consequently, the petition for writ of *habeas corpus* in this action is due to be dismissed with prejudice as time barred under 28 U.S.C. § 2244(d). An appropriate order will be entered.

DONE and **ORDERED** this 25th day of May, 2007.


R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE